

August 15, 2007

**MINUTES OF A REGULAR MEETING OF  
THE TORRANCE PLANNING COMMISSION**

**1. CALL TO ORDER**

The Torrance Planning Commission convened in a regular session at 7:03 p.m. on Wednesday, August 15, 2006, in City Council Chambers at Torrance City Hall.

**2. SALUTE TO THE FLAG**

The Pledge of Allegiance was led by Commissioner Gibson.

**3. ROLL CALL**

Present: Commissioners Fauk, Gibson, Horwich, Uchima, Weideman and Chairperson Busch.

Absent: Commissioner Browning (excused).

Also Present: Planning Manager Lodan, Planning Assistant Yumul, Plans Examiner Noh, Associate Civil Engineer Symons, Fire Marshal Kazandjian and Deputy City Attorney Whitham.

**4. POSTING OF THE AGENDA**

Planning Manager Lodan reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on August 10, 2007.

**5. APPROVAL OF MINUTES – July 18, 2007**

Approval of the July 18, 2007 minutes was deferred to the next meeting.

**6. REQUESTS FOR POSTPONEMENT – None.**

**7. ORAL COMMUNICATIONS #1 – None.**

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Chairperson Busch reviewed the policies and procedures of the Planning Commission, including the right to appeal decisions to the City Council.

**8. TIME EXTENSIONS – None.**

**9. CONTINUED HEARINGS**

**9A. PRE07-00005, WAV07-00005: RICK SELLERS (KEN BERRYMAN)**

Planning Commission consideration for approval of a Precise Plan of Development to allow second-story additions in conjunction with a setback Waiver for an existing two-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 413 Via La Soledad.

## **Recommendation**

Approval.

Planning Assistant Yumul introduced the request.

Commissioner Uchima announced that he was abstaining from consideration of this item because he lives within the notification area and exited the dais.

Ken Berryman, 413 Via La Soledad, reported that revisions were made to address the concerns of his neighbor, Elaine Polin, 409 Via La Soledad, as discussed at the August 1, 2007 hearing. He voiced his agreement with the recommended conditions of approval.

Commissioner Weideman asked about Ms. Polin's response to the revisions.

Mr. Berryman stated that Ms. Polin had not spoken to him, but he believed her concerns about the loss of light had been alleviated by increasing the side yard setback on her side of the property by approximately 2½ feet.

Chairperson Busch asked Ms. Polin, who was present in the audience, if she wished to speak, and she declined to comment.

**MOTION:** Commissioner Gibson moved to close the public hearing. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

**MOTION:** Commissioner Faulk moved for the approval of PRE07-00005 and WAV07-00005, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Gibson, and discussion briefly continued.

Commissioner Weideman stated that while he was pleased that Ms. Polin's concerns had been addressed, his objection to the project was and still is the FAR (floor area ratio) of 0.538.

Chairperson Busch voiced support for the project as proposed, noting the absence of any objections from neighbors. He stated that the FAR limitation is a guideline, not absolute, and he believed the applicant had made a good faith effort to address neighbors' concerns.

Chairperson Busch called for a vote on the motion, and the motion passed by a 4-1 roll call vote, with Commissioner Weideman dissenting (absent Commissioners Browning and Uchima).

Planning Assistant Yumul read aloud the number and title of Planning Commission Resolution Nos. 07-069 and 07-070.

**MOTION:** Commissioner Gibson moved for the adoption of Planning Commission Resolution Nos. 07-069 and 07-070. The motion was seconded by Commissioner Faulk and passed by a 4-1 roll call vote, with Commissioner Weideman dissenting (absent Commissioners Browning and Uchima).

Commissioner Uchima returned to the dais.

10. **WAIVERS** – None.

11. **FORMAL HEARINGS**

11A. **CUP07-00017: MERCY GO (ETEHAD, LLC & REFONA, LLC)**

Planning Commission consideration for approval of a Conditional Use Permit to allow the operation of two take-out restaurants on property located in the C-2 Zone at 20305 Anza Avenue.

**Recommendation**

Approval.

Planning Assistant Yumul introduced the request.

Dio Yang, representing the owners of the subject property, requested that Condition No. 2, which states that the Conditional Use Permit shall expire if not used within one year, be deleted. He explained that a tenant for the second take-out restaurant has not been found and the applicant does not want to lose the ability to lease this space should it take longer than a year to find one.

Planning Manager Lodan advised that this is a standard condition to ensure that entitlements are acted upon in a timely fashion and it simply requires that the applicant enter the plan check process within one year.

Commissioner Gibson, echoed by Commissioner Faulk and Commissioner Weideman, indicated that she would not support the deletion of Condition No. 2.

Chairperson Busch asked about the midnight closing time.

Gary Brockman, representing Pizza Hut, explained that two existing restaurants which are open until midnight will be closing after this project is completed and Pizza Hut would like to continue to offer the same service to their customers. He confirmed that the midnight closing time would be in effect seven days a week.

Commissioner Gibson voiced objections to the midnight closing time, noting that she investigated other restaurants on this block, including another pizza place, which closes at 9:00 p.m. on weekdays/9:30 p.m. on Saturdays; Subway, which closes no later than 10:00 p.m.; and Steve's, which closes at 10:00 p.m. on weekdays/11:00 p.m. on Saturdays.

In response to Commissioner Gibson's inquiry, Mr. Brockman reported that the restaurant's standing capacity would be 4-5 people; that the restaurant would have 3-4 delivery vehicles; and that there would be a restroom for employees, but not for the use of customers.

Commissioner Horwich recalled that when the Commission approved this center, a condition was included prohibiting any type of food service and questioned why this

request was being brought back as a new Conditional Use Permit instead of as a modification of the previously approved project.

Planning Manager Lodan explained that it was done in this manner so that if this request was denied, the original entitlement would still stand. He recalled that the condition regarding food service was included to reinforce the fact that any kind of food use would require a public hearing and indicated that staff had no inherent concerns about allowing a restaurant at this center.

In response to Commissioner Weideman's inquiry, Mr. Brockman provided clarification regarding the parking designated for delivery vehicles. Mr. Yang noted that staff dictated the parking arrangement and expressed his willingness to change it.

Commissioner Faulk asked about the location of the two Pizza Hut restaurants to be closed. Mr. Brockman reported that one is on Artesia and one is to the west of the subject property and reiterated that Pizza Hut would like to maintain the same midnight closing time at the new location.

Commissioner Faulk suggested the possibility of operating the delivery service until midnight and closing the storefront take-out earlier. With regard to parking, he noted that there is parking available at the adjacent center where several of the businesses will be closed during Pizza Hut's peak hours and asked about cross access.

Planning Manager Lodan advised that there is no arrangement with the adjacent center to allow cross access for parking, however, there is a requirement that the owner of the subject property provide for a future cross access easement when the adjacent property is redeveloped.

Commissioner Gibson asked about the geographic area to be served by the new Pizza Hut. Mr. Brockman stated that, typically, it would encompass the area within an 8-minute drive time.

Commissioner Gibson expressed concerns that only 7 parking spaces are provided for the restaurant, 4 of which would be taken up by delivery vehicles.

Planning Manager Lodan noted that there is additional parking available in the center as parking spaces are not designated for particular tenants.

Mr. Yang noted that the center has 10% more parking than required.

Gavin Wasserman, 4788 Steele, urged denial of the Conditional Use Permit. He contended that the two take-out restaurants along with the other two tenants were likely to generate a substantial volume of traffic and expressed concerns about the hazard to school children walking to and from nearby schools. He voiced his opinion that the midnight closing time was too late for this area, noting that people will be at this location long past midnight due to the time it takes to close down the business. He disputed the calculation of the parking requirements, maintaining that the 7.5 spaces required for Tenants #3 and #4 should be rounded off to 8 spaces each.

Melanie Dreike, president of West Torrance Homeowners Association, expressed concerns that motorists making a left-hand turn into the center must cross

double-yellow lines on both Anza and Del Amo. She reported that the adjacent center does not have a lot of extra parking so sharing parking would not work. She maintained that this area does not need another pizza place and recommended that any future food use be brought before the Commission so that residents could have a say in their hours of operation. She reported that responses to an email sent to HOA members cite the traffic issue and the safety hazard to children attending West High, Bert Lynn and Victor Elementary schools.

Returning to the podium, Mr. Yang stated that he did not believe the center would unduly affect traffic, noting that the original project was downsized from 7,000 square feet to 5,000 square feet to minimize the impact on traffic.

Commissioner Weideman asked about delineation around the perimeter of the project.

Planning Manager Lodan advised that there is an existing short wall on the south side, which is on the neighboring property, and that there will be planters delineating the site when the project is completed but they will not preclude cross access.

Commissioner Faulk asked about the percentage of sales that is pick-up versus delivery at a typical Pizza Hut without seating capacity. Mr. Brockman reported that sales at this location are projected to be approximately 15% pick-up and 85% delivery.

Commissioner Uchima noted that school children will probably be in the vicinity around 3:00 – 3:30 p.m., and asked about the peak time for Pizza Hut's business.

Mr. Brockman responded that although there is some lunchtime business, the majority of deliveries are between 5:00 p.m. and 8:00 p.m.

In response to Commissioner Gibson's inquiry, Planning Manager Lodan related his understanding that there is a school bus stop at the corner of Del Amo and Anza.

Commissioner Gibson questioned whether Pizza Hut was prepared for football nights at West High, which tend to be quite active.

Mr. Brockman stated that the restaurant would be better suited if there was a lobby and seating, however, since they don't have that capability, he imagined they would be catering football parties at various locations.

**MOTION:** Commissioner Gibson moved to close the public hearing. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

Commissioner Weideman indicated that he would not support the midnight closing time due to the impact on nearby apartments and suggested a closing time of 10:00 p.m.

Chairperson Busch stated that one of his primary concerns about the project was the midnight closing time and that's why he brought the issue up at the beginning of this hearing. He indicated that he was open to the idea of a 10:00 p.m. closing time.

Commissioner Gibson stated that she could not in good conscience support a midnight closing time in this residential neighborhood. She further stated that she has serious concerns about this already dangerous corner and voted against this project when it was originally considered, therefore, she was not inclined to support any of this request.

**MOTION:** Commissioner Weideman moved to deny CUP07-00017 without prejudice. The motion was seconded by Commissioner Gibson and discussion briefly continued.

Commissioner Faulk expressed support for the project with a condition limiting closing time to 10:00 p.m. He stated that traffic is an inherent problem at this intersection and he did not believe the proposed use would significantly increase traffic as compared to previous uses. With regard to this being a residential neighborhood, he noted that all four corners of the intersection are developed with commercial uses and the only residential use close to the project is the apartment building next to the florist. He reported that he frequently picks up pizza from Pizza Hut on Friday evenings and has not observed a lot of problems concerning parking. He voiced his opinion that staff has come up with a good plan for the parking of delivery vehicles so they will not create congestion at the front of the building. He indicated his preference that the Commission approve only the Conditional Use Permit for the Pizza Hut and require that any other food establishment be considered separately.

Commissioner Horwich stated that he would vote to deny the Conditional Use Permit because this was a more intensive use of the property than he originally envisioned and he did not believe there would be adequate parking if any seating is added, inside or outside, for either of the two restaurants, which according to his experience, is bound to happen.

Chairperson Busch called for a vote on the motion, and the motion passed by a 4-2 roll call vote, with Commissioners Faulk and Uchima dissenting (absent Commissioner Browning).

**11B. PRE07-00014: MICHELLE GAINER (VICKEN AND TALEEN BEDIKIAN)**

Planning Commission consideration for approval of a Precise Plan of Development to allow first and second-story additions to an existing one-story, single-family residence on property located within the Hillside Overlay District in the R-1 Zone at 2718 Grand Summit Road.

**Recommendation**

Approval.

Planning Assistant Yumul introduced the request.

Michelle Gainer, project architect, briefly described the proposed project and voiced her agreement with the recommended conditions of approval.

**MOTION:** Commissioner Faulk moved to close the public hearing. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

**MOTION:** Commissioner Uchima moved for the approval of PRE07-00014, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (absent Commissioner Browning).

Planning Assistant Yumul read aloud the number and title of Planning Commission Resolution No. 07-092.

**MOTION:** Commissioner Uchima for the adoption of Planning Commission Resolution No. 07-092. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote (absent Commissioner Browning).

The Commission recessed from 8:00 p.m. to 8:17 p.m. to review supplemental material on Agenda Item 11C.

**11C. PRE07-00013, WAV07-00010: MICHAEL GUZMAN**

Planning Commission consideration for approval of a Precise Plan of Development to allow first and second-story additions in conjunction with a side yard setback Waiver to an existing two-story, single-family residence on property located within the Hillside Overlay District in the R-1 Zone at 602 Paseo de la Playa.

**Recommendation**

Approval of the Precise Plan and denial without prejudice of the Waiver.

Planning Assistant Yumul introduced the request and noted supplemental material available at the meeting consisting of correspondence received after the agenda item was completed.

Michael Guzman, owner of the subject property, explained that he grew up in the Riviera area and is familiar with the limitations of the Hillside Overlay District and that he specifically purchased this property because the large lot and existing second-story provide an opportunity to expand within zoning restrictions without impacting neighbors. He reported that the project will adhere to the Green Building Initiative, noting that he attended the June 6 meeting of the Torrance Environmental Quality Commission.

James Meyer, Lean Arch, Inc., project architect, provided background information about his firm which specializes in "green" sustainable design concepts. He reported that recycled/recyclable materials will be used in the construction of the project, and that the new residence was designed to take advantage of natural light and ventilation and will include solar panels and radiant heating. He stated that in an effort to address neighbors' concerns, Mr. Guzman has agreed to the following modifications: 1) eliminate 20 inches along the north side of the house to comply with setback requirements and eliminate the need for the Waiver; 2) use obscured glass on the north-facing stairwell windows; and 3) increase the sill height of the east-facing window in the office space on the second floor. He apologized for an error in the calculation of the FAR, explaining that his office used net floor area (0.54) instead of gross floor area (0.58) as the City requires.

In response to Chairperson Busch's inquiry, Mr. Meyer reported that the project's FAR would be reduced to 0.549 with the elimination of the 20 inches along the north side. He noted that eliminating the stairwell and volume ceiling areas that must be double-counted would bring it down to 0.536.

Chairperson Busch advised that in order to exceed an FAR of 0.50, the applicant must demonstrate that being confined to this limit would be a hardship.

Mr. Meyer stated that limitations on the FAR were put in place to address the bulk of a building and he believed he addressed this issue with the unique design, which splits the home into two wings with a courtyard in the middle. He noted that the façade is not one continuous wall almost property line to property line, as is the case with some other homes in this neighborhood, and this greatly affects how the mass of a home is perceived. He explained that neither of the wings could be reduced in width because the rooms would become unusable, therefore any reduction would have to come from the open living space in the middle and that would be a significant hardship for his client while having no real benefit for neighbors.

Mr. Guzman explained that he has two children and plans on having a third and also needs a home office; that the rooms are not excessive in size; and that removing square footage from the middle of the house wouldn't benefit anyone, but would be a hardship for him and his family.

After a show of hands of those who wished to speak, Chairperson Busch requested that speakers limit their remarks to five minutes. He noted that there was no need to read from letters previously submitted because they were already part of the record.

Marjorie Hill, 539 Camino de Encanto, noted that she detailed her objections in a letter dated August 6, 2007 and that Mr. Guzman only contacted her after she submitted the letter. She stated that she was concerned about the location and the size of the addition and that she did not believe it was harmonious with the growth of the community.

Commissioner Faulk recalled that there's a lot of vegetation between Ms. Hill's property and the subject property so there does not appear to be a view impact.

Ms. Hill indicated that her primary concern was that the blockage of air and light to her property.

Robert Hill, 539 Camino de Encanto, Marjorie Hill's son, wanted to clarify that contrary to a letter submitted by Mr. Guzman dated August 8, 2007, he and his mother do not support the project. He contended that the structure was out of character with the neighborhood and that it would be a huge obstruction to air, view and light should the vegetation separating the two properties be removed. He stated that his primary concern had been invasion of privacy, but related his understanding that the applicant was proposing to replace the large window facing his mother's property with a transom window with a sill height of six feet to address that issue. He submitted photographs altered to demonstrate the impact with the vegetation/trees and the lanai on his mother's property removed.



Commissioner Faulk requested clarification regarding the potential view Mr. Hill believes he would be losing should the project be built and the vegetation removed.

Mr. Hill explained that his mother currently enjoys a filtered view of the sunset through the trees and this view would be lost.

Tim Youngern, 536 Paseo de la Playa, submitted color copies of photographs previously submitted. He read a letter from his wife, in which she stated that the proposed project would completely dwarf their home and destroy the privacy of their outdoor living space. She noted that she gardens in her nightgown in the early morning and evening hours and views this space as a sanctuary. She expressed concerns that the blockage of sunlight will affect the flowers on the south side of the yard.

Mr. Youngern, reading from a prepared statement, reported that he and his wife are nearing retirement; that they are avid gardeners and maintain 50 rose bushes and several hydrangeas; that they have spent tens of thousands of dollars on their yard; and that gardening helps them de-stress from high stress jobs. Noting that the subject property sits four feet higher than his property, he expressed concerns that the proposed addition would block sunlight from his kitchen window, lead to the demise of his landscaping, and cause structural damage due to mold and mildew. He stated that the proposed project was designed with windows to take advantage of the natural light that will be taken away from his home.

Mr. Youngern contended that the proposed addition would block ocean breezes that flow off the Palos Verdes hills through the Guzmans' property into his yard because it would act as an airfoil, directing air over his property and negating the usefulness of custom windows. He further contended that the second floor would intrude on the privacy of his backyard and take away his lifestyle and that there was no way to mitigate this impact either by landscaping or other means.

Chairperson Busch asked that Mr. Youngern conclude his remarks as he had already been allowed 10 minutes to speak.

Mr. Youngern submitted his written statement along with additional photographs.

Roberta Blowers, 621 Camino de Encanto, noted her disagreement with staff's assessment (staff report-page 3) that while she may lose some view, the new lower roofline would increase the overall ocean view, therefore, the project does not detract from the totality of the available view. Submitting photographs to illustrate, she explained that eliminating the peak of the roof does improve the view from a standing position, but the proposed addition blocks her view when sitting down. She reported that she was never contacted by Mr. Guzman until she submitted her letter of objection; that she subsequently found him on her property taking photographs; and that he did not agree that her view was impacted and declined to do anything about it. She suggested that the addition could be reduced in size by downsizing the dining room and eliminating the study and Mr. Guzman would still have a very nice home.

Danna Weidner, 531 Camino de Encanto, expressed concerns about the impact of allowing large projects like this to be built in the Hollywood Riviera area, maintaining that they were changing the whole nature of the community. She noted that homes in

this area have a lot more open space than other beach communities like Manhattan Beach, Hermosa and Redondo, and it's attractive to residents for that reason.

Chuck Valentine, 638 Paseo de la Playa, voiced support for the project, stating that he's very pleased with the improvements that have taken place in the seven years he has lived in this neighborhood making it more prestigious and vital. With regard to claims that the proposed project was not in harmony with the neighborhood, he noted that his home's Cape Cod/Nantucket design would hardly be called harmonious but two or three more homes with similar designs have sprung up in the neighborhood since it was built. He stated that he believed the project's contemporary design was very appropriate for the seaside area and he would hate to see this neighborhood become homogeneous.

Returning to the podium, Mr. Guzman explained that he only shared his plans with neighbors he believed would be impacted by it, consequently, he did not contact Ms. Hill until after he learned of her letter of objection. He reported that he had no intention of removing the vegetation separating the two properties.

Mr. Guzman stated that he was very disappointed that the Youngerns have chosen not to communicate with him directly. He noted that their home was completely remodeled before they purchased it and the bulk of their objections are related to an area that didn't exist before the remodel. He related his understanding that the Commission has traditionally not granted the same level of protection for areas outside the original footprint of a home.

Addressing the Youngerns' objections, Mr. Meyer disputed the claim that the project would block airflow to their property, explaining that it's impossible to determine the impact without a professional study and the addition could actually increase airflow due to the Venturi effect. He explained that the project was designed to mitigate the impact on the Youngerns' privacy by locating closet space on north side of the house, raising sill heights, and positioning windows so there is no view into their property.

With regard to the impact on Dr. Blower's view, Mr. Guzman stated that her view is quite expansive and by reducing the existing ridge height 16 inches, he believed she would be gaining a substantial view of white water and the marina with only a slight decrease in blue water view.

Chairperson Busch noted that Commissioners consider cases on an individual basis because each project is unique and they do not base their decisions on past practices.

Addressing the Hills' concerns, Mr. Meyer reported that the height of the roof will be reduced on the south side of the property so they should be able to continue to enjoy a filtered view of the sunset.

In response to Commissioner Fauk's inquiry, Mr. Guzman clarified that the existing home will not be completely torn down.

At Commissioner Fauk's request, Mr. Meyer reviewed the location of each second-story window on the north side of the residence.

Commissioner Faulk asked about the possibility of reducing the FAR.

Mr. Guzman related his belief that the FAR has already been reduced as much as possible.

Mr. Meyer stated that he felt very strongly that the design of the home was very effective in reducing the bulk of the building, which is the main reason for FAR limitations. He reiterated that any reduction would have to come from the middle of the home and would result in no improvement to the light, air and privacy of neighbors.

In response to Commissioner Weideman's inquiry, Mr. Meyer provided clarification regarding the size of the deck on the southeast corner of the building and reported that access to the green roof would be prevented by railing.

**MOTION:** Commissioner Horwich moved to close the public hearing. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

Commissioner Weideman noted that it was not within the Commission's purview to discuss the architectural design of the project because the Planning Commission is not an art jury. He stated that although he believed the applicant had made great strides by eliminating 20 inches along the north side of the house, he still had concerns about the FAR and about the project's impact on neighbors' light and air.

Chairperson Busch stated that he also believed the FAR was too high and was concerned about the project's impact on air, view, and privacy.

Commissioner Faulk stated that the Youngerns' property seems to be the most affected by the project and he believed the privacy impact has been completely mitigated by the positioning of the windows. He further stated that while the silhouette looks striking, he was not convinced that light and air would be significantly affected because the sun doesn't come from that direction and ocean breezes move in all kinds of ways. With regard to view impact, he reported that he visited 621 Camino de Encanto and did not observe a significant view impact and that he was not comfortable speculating what the view would be at 539 Camino de Encanto should the vegetation be removed when clearly there is no view at this time. He stated that although he would like to see a reduction in the FAR, he would probably support the project as submitted but had not made a final decision.

Chairperson Busch voiced his opinion that the applicant had not demonstrated that it would be hardship to be limited to an FAR of 0.50, noting that it was not the Commission's role to redesign the project.

Commissioner Uchima noted his agreement with Commissioner Faulk's remarks, but indicated that he did have some concerns about the impact on the Youngerns' property with regard to light and air. He stated that his first impression was that the silhouette looked very imposing, but he was having a hard time quantifying the impact and could not definitively say that it would affect their light and air.

Commissioner Horwich stated that he was also having difficulty with this case because the project seems to loom over the neighbors to the north and he was not sure what the impact would be. He indicated that the FAR was larger than he was

comfortable with and suggested that the hearing be continued to give the applicant a chance to take another look at the FAR and perhaps do some redesigning.

Commissioner Gibson related her belief that the Guzmans have tried to accommodate their neighbors and commended them for their efforts. She stated that she too was struggling with this case, noting that the FAR of the Youngerns' residence appears to be quite large.

Commissioner Faulk voiced support for Commissioner Horwich's suggestion.

The public hearing was reopened so the applicant could comment.

Mr. Guzman stated that he thought a continuance was a good idea so he could see how the elimination of the Waiver affects the project and requested that the hearing be continued to the meeting of September 5.

In response to Commissioner Uchima's inquiry, Planning Manager Lodan confirmed that the silhouette would have to be modified and recertified, noting that certification would need to be completed by August 27 so that staff could be prepared for the September 5 meeting.

Mr. Meyer stated that he hates to "slice and dice" a project when there is a strong architectural concept and expressed concerns that the interior courtyard will be eradicated if he tries to compress the building. He indicated his preference for two smaller structures as opposed to one larger structure that spans 50 feet across and asked if Commissioners had any comments on this issue.

Commissioner Faulk stated that he did not believe he should try to redesign the project, but wanted to make it clear that the Commission was looking for a reduction in the FAR.

Commissioner Gibson recommended that the applicant review any modifications with the Youngerns. Mr. Guzman stated that he felt this was not an option based on letters from the Youngerns' attorney.

Commissioner Uchima stressed the importance of face-to-face dialogue when trying to reach a compromise and voiced his opinion that communicating through lawyers was not the way to go. He stated that he would like to hear at the next meeting that face-to-face discussions have taken place even if the parties are not able to reach an agreement because he felt refusing to engage in a dialogue shows a lack of good faith.

**MOTION:** Commissioner Horwich moved to continue the hearing to September 5, 2007. The motion was seconded by Commissioner Weideman and passed by unanimous roll call vote (absent Commissioner Browning).

Chairperson Busch requested that staff provide Commissioner Browning with audiotapes from these proceedings so he could participate in the hearing at the next meeting.

Planning Manager Lodan announced that the hearing would not be re-advertised as it was continued to a date certain.

12. **RESOLUTIONS** – None.

13. **PUBLIC WORKSHOP ITEMS** – None.

14. **MISCELLANEOUS ITEMS** – None.

15. **REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS**

Planning Manager Lodan reported that the City Council approved the addition at 330 Calle de Arboles at the August 14 Council meeting, noting that the height of the project was reduced subsequent to the Planning Commission hearing.

16. **LIST OF TENTATIVE PLANNING COMMISSION CASES**

Planning Manager Lodan reviewed the agenda for the September 5, 2007 Planning Commission meeting.

17. **ORAL COMMUNICATIONS #2**

17A. Commissioner Faulk commented positively on the commercial condominium project on Maple and asked how they were selling.

Planning Manager Lodan related his understanding that the units are very popular, however, they're not selling as fast as the project on 190<sup>th</sup> Street and Van Ness, which sold out before it was completed.

17B. Commissioner Horwich commended staff for doing an excellent development review for the project on the southeast corner of Hawthorne Boulevard and 180<sup>th</sup> Street.

17C. Commissioner Uchima related his understanding that Little Company of Mary has purchased the adjacent Daily Breeze property.

Planning Manager Lodan advised that staff has seen conceptual drawings for the site, which includes medical offices, and that plans call for the removal of the existing buildings, but the large ficus trees will be preserved.

18. **ADJOURNMENT**

At 9:47 p.m., the meeting was adjourned to Wednesday, September 5, 2007 at 7:00 p.m.

Approved as Submitted September 19, 2007 s/ Sue Herbers, City Clerk
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